

TOWN & COUNTY ZONING

ZA Report Dated 5-11-10

4-9-10 to 5-10-10

I. Permit Applications Approved and Issued:

Name	Date Received	Date Issued	Type/Address
Lindner/Rehnaldt+	4-7-10	4-14-10	50 sq ft Accessory (sauna) 2320 North Shore Rd
Slater, John+	4-16-10	4-26-10	2,160 sq ft Accessory Driveway Extension 1268 Big Bay Rd
Hoogmoed, Renee/Pauline	4-13-10	4-30-10	Add/Alter (decks) 388 Evie's Lane (TPC interpretation for front of property at 4-30-10 Special Meeting. Remove old decks and add new with additional sq footage)
Murphy, Shannon	4-26-10	5-3-10	336 sq ft Accessory w/ deck 1843 North Shore Road (condition of approval to remove oversized residential property sign. Accessory to be used for storage only – not for habitation)
Brown, Margaret	4-15-10	4-26-10	108 sq ft Accessory (shed) 406 Big Arn's Road
Hawkeye Inv. (Chapple)+	5-7-10	5-10-10	Add/Alter 1230 Big Bay Road (County Approval with conditions for nonconforming shoreland structure: obtained sanitary permit to replace old mound system and obtained shoreline restoration plan approved by Ash Co Land and Water Cons Dept with approval from WDNR and US Army Corps of Eng for replacement of failing breakwall. Also, waterward side of house removed to 41 ft to OHWM – Addition to be place on landward façade and home not to exceed 2000 sq ft total enclosed sq ft for Town and County Ordinances.)

(+ indicates County Permit issued for project)

Certified Survey Maps

Name	TPC approve/deny	TB approve/deny	Address
Gagnon, Mark	awaiting app and fees		

II. Permit Applications in Progress:

Name	Date Received	Project/ Address
Hartzell, Robert	7-16-07	CUP – Year round resort, spa and exercise facility 580 Mondamin Trail
(TPC reviewed the status of this CUP on 3-3-10. CUP not yet issued due to sanitary not in order. While looking into the status of the application I discovered the property may not have been divided per Tech Memo III in 2002. Letter to R. Hartzell requesting clarification regarding the division. Reply from Hartzell attached to this report. Claims property was divided with CSM but no CSM on record at ROD or at Town Hall. Will request the TPC/TB (?) interpret how this affects the future issuance of the CUP.)		
McCarthy, Joseph	8-6-07	CSM Sunnyslope
(preliminary approved by TPC 8-15-07. Reviewed preliminary with County on 2-29-08. Corrections to be made to preliminary- final map not yet received.)		
Platt, Laura	10-12-07	CSM 1094 Big Bay Road
(Received CSM – waiting for fees and application form signed by all owners of all properties delineated on CSM. CSM required to rectify illegal subdivision creating two substandard lots. Looking into the County Subd Ordinance to see if these two lots require a CSM anymore)		
MIYC	11-20-07	CUP – Warehouse/Boat Storage Fire # 633 Main St
(TPC reviewed the status of this CUP on 3-3-10. Letter to MIYC requesting status report due to no activity after CUP was approved. CUP not yet issued due to sanitary not in order.)		
Dobson, Janine/Jim	6-23-08	Travel Trailer/Fire # Old Fort Road (Old Caddy Shack property)
(With the text changes, I have to research possible refunds of previous app fees paid/possible violations/sanitary etc)		
Geiser, Barb (7 Hearts)	7-25-08	Add/Alter (deck on bunkhouse) 1454 North Shore Road
(Waiting on DNR since submission of application. Received a call from J. Spangberg 4-6-10 – he said he was working on the app and would have word asap. If the sonotubes were already poured in the wetland, an after-the-fact permit would have to be submitted – if not they will have to cantilever the deck from the house)		
Banks, Mark/Gretchen+	11-3-09	Add/Alter 1673 Hagen Road

(Shoreline Restoration required to be approved by Ash Co Conservation Dept per County regs – waiting on County permit requirements to be fulfilled. Email from County Conservationist 1-11-10 – requirements of the County for Restoration Plan still not met)

Erickson, Evan 5-3-10 Move Structure
304 Big Bay Road

(Move gazebo from current placement on Big Bay Road to the other side of Voyageur Lane (or the drive that runs from Voyageur to the Fire Hall.) Does the movement of a building within the boundaries of a property require a land use permit and/or fees? Questions of interp for the next TPC meeting.)

Marquardt/McClelland 4-26-10 Add/Alter
1406 Big Bay Road

(TPC approved pending inspection. Inspection with Tibbs showed existing deck 28 ft from side property line. Deck to be reconfigured for approval.)

Penn/Hebson 5-7-10 1092 sq ft Accessory
2194 North Shore Rd

(Reassemble vintage barn on this property. Needs sanitary and County approval.)

III. Permit Applications Denied/Revoked:

Name	Date Applied	Date Denied	Type/Address
None			

IV. Violations

Name	Violation	Order
Schardt	House moved. Holding tanks need to be installed	
Ryder, Jim	House setback encroachment. Owner submitted letter requesting the TPC approve the “CSM” 7-31 and recommend approval to TB. Map proposing to reconfigure lots. No metes and bounds submitted. Map not to statute requirements.	
Ryder, Elizabeth	Pole Barn setback encroachment. Owner submitted letter requesting the TPC approve the “CSM” 7-31 and recommend approval to TB. Map proposing to reconfigure lots. No metes and bounds submitted. Map not to statute requirements.	
Woods, Marcy/Thomas	Permit for after the fact add/alter denied by motion of TPC per recommendation of ZA. Proposed construction also denied. Letter to remove additions w/in setbacks sent. Appeal submitted. File forwarded to BOA 12-31-09. BOA remanded back to TPC. Woods to reapply. Contractor came in to pick up application forms.	
Griffin, Tom	1137 South Shore Dr – Accessory structure w/o permit w/in	

Shoreland setbacks. Open structure with plumbing w/o permit
Within shoreland setback. Griffin removing structures in spring
2010 per email response to letter. Inspections with L Hildebrandt
and J Spangberg to verify ohwm.

- Nelson, Tom** Moved structures from Bell St Properties on Middle Road and Cadotte property on Library St w/o permits. Letter written and sent – T. Nelson stopped by my office 4-7-10 to say he was submitting applications asap. TN came in to pick up app forms (for third time) but has not submitted anything. To begin violation process and seek orders through the TB at next TB meeting.
- Hartzell, Robert** Possible illegal subdivision of parcel 014-00206-0200 – owner to provide proof of subdivision in compliance with Tech Memo #3 prior to any land use permit approved. Will the Spa CUP be issued by the Town if subdivision was not per Town Ordinances?
- Cone/Thompson** Illegal subdivision of parcel 014-00206-2101. Warranty deed signed by Grantor 4-14-10 and recorded at ROD 4-27-10 selling part of the 5.1 acre parcel. T. Nelson reported brokering the sale and requested CSM application form 4-15-10. Two travel trailers on property w/o approved means of sanitation (airstream placed on South Shore Drive access fall 2009). Only 1 Travel trailer allowed per parcel per 4.3.4. No record of Fire # issued to the property.

V. Land Use Permit – No Permit Required:

Name	Project/ Address
None	

VI. Correspondences: Letters/MEMO to

Name	Date	Re
TPC/MEMO	4-5	MIMC/Woods Manor 25 th Anniversary
TB/MEMO	4-6	Raze Ordinance Draft
TPC/MEMO	4-13	MI Chamber – Interpret Ordinance regarding signs
Anderson, Frank	4-15	Campground violation at 516 Miller Farm Road
TB/MEMO	4-22	Assemblage/Special Event – TPC Recommendation
TB/MEMO	4-22	TPC recommendation to fill 3 open seats
TPC/MEMO	4-30	Hoogmoed property – deck add/alter
Bergeon, Glen/Susan	5-3	Extension of travel trailer removal – 30 days
Thompson/Cone	5-10	Apparent illegal subdivision/travel trailers/fire #
Nelson, Thomas	5-10	Forward move structure violation at 428 Big Bay

VII. Complaints

Name	Date	Regarding
Bergeon/Starck (agent)	5-3	M. Starck reported Bergeons did not receive letter

notifying them about May 1, 2010 deadline decision to remove trailer. Resent Oct 2009 letter 5-3 and also notified them of the 30 day extension. No habitation is allowed in the trailer. Extension for storage of trailer only, per TPC.

X. New Business

I have been in the field with Dorothy Tank mapping driveway accesses. So far we have mapped a couple hundred drives (commercial zone and downtown residential). We will be out again May 20, and a couple days the following week to hopefully finish the rest of the island. This is a data collection phase of the island fire # system review. This will benefit many-fold. While the points are mapped, the property owner, posted fire # (if any), structures, and nickname of property is entered for the point. This information is saved and will be available to dispatch in the future when a 911 call comes from that property. The information is confirmed with Cheqtel who uploads the info for 911 purposes. The points will also let Dorothy and I evaluate whether the current system of numbering is adequate. We have a limited # of fire #'s available to issue. We will be able to see if our system allows for the density of development proposed in the future land use map. We are also taking notation where some fire #s are addressed incorrectly or not posted at all. Waggie has a list of discrepancies she has come across we are taking into account as well.

I put together a packet of information regarding Ashland County Zoning Enforcement by the Town ZA. Thanks to Barb for the wages info. Hidden expenses to consider are: vehicle maintenance/wear costs, postage costs, additional hrs needed for zoning clerical to support ZA, and the like. Honorable Clerk, please make this an agenda item on the next TB agenda. Along with the reimbursement end of it, we need to review the Intermunicipal Agreement itself and see if the verbiage is still working in the Town/public interest.

I plan to take some personal/vacation time, with Ham's signature, May 28, June 3-7, and June 25-29 for my wedding/honeymoon. I may be out a day or two before that to put out unexpected fires in preparation of the day. I'll make sure the office staff and public are well advised.

XI. Old Business

Recent text changes are effective and have been inserted into the Ordinance. The new Ordinance is up on the website.

The TPC is in its final phases of review for the Ordinance Revision Project. One large part of the project we have left to look at is the Official Zoning Map and how that compares to the Future Land Use Map in the Comprehensive Plan. After a few more meetings, a draft will be widely distributed with advertisements for several question and answer sessions regarding the draft. These sessions will likely take the proposed ordinance a few sections at a time depending on the content and length of the section but questions regarding other sections will be welcome – we know not all summer residents

are in town at given times and that each section commingles with others. It will be organized, but less formal than a public hearing. Hopefully those sessions will be well attended and will point out flaws and/or weaknesses, along with strong points of the draft. After these sessions, the TPC may amend the draft accordingly. We will then pass it to (petition) the TB for directive to hold the PH to revise the text of the zoning ordinance. I will make sure the language and procedure is approved by our attorney. With enough question and answer sessions addressing concerns beforehand, we may only need one PH but may schedule more if needs be. We will be looking at a venue (possibly the school gym) that will allow enough people to attend and make comment that can be heard and recorded. After the PH the TPC may again amend the draft in regard the public comment offered. The TPC will then formally recommend the revised Ordinance to the TB.

Margaretta will be cutting back on hours to stay within budget and to manage her seasonal employment hours at the Museum. She will be cutting back from approx 20 hrs per week to 10. To make it on budget the position can only work approx 13 hrs per week the rest of the year. I'm trying to keep normal working hrs for the position under 13 per week so there may be enough left to cover any unforeseen BOA cases/extra TPC meetings and hearings for the Ordinance Revision. There is definitely enough work for the position to maintain the ½ time hours but we only have 800 hours to work with.

I'm concerned with my budget regarding attorney's fees this year due to the BOA cases/attorney presence at meetings as well as the possible adoption of the revised ordinance. Just something I try to keep in mind.